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URGENT - REPLY TO FINAL OFFICE ACTION JAN 26 2010

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In the matter of:

INVENTORS: Solomon Zaromb et al. EXAMINER: Dr. Bobby Ramdhanie

SERIAL NO.: 10/710,838

ART UNIT: 1709

FILED: August 5, 2004

FOR: AEROSOL COLLECTION APPARATUS AND METHODS

REPLY TO FINAL OFFICE ACTION

January 26, 2010

Hon. Commissioner of Patents & Trademarks
Washington, DC 20231

SIR:

In response to the Office Action of December 2, 2009, it is requested that consideration be given to the following replies:

REPLIES

The Office action of December 2, 2009, has been carefully considered and reconsideration of the application and "Final Rejection" is earnestly solicited on the basis of the following point-by-point replies to the Examiner's "Detailed Action."

Re Examiner's Points 1-2: The withdrawals of 35 USC 112 objections to claims 7, 8, and 12-14 are appreciated.

Re Examiner's Points 3-9, 20-23 and 59:

Re Points 4 and 6: Applicant sincerely apologizes for the word "exorbitant" referring to the \$405 fee required to remove the first "Final Rejection." The proper wording should have been "steep, at least for a small entity under present economic conditions". Neither was referral to that expense intended to imply any blame on the Examiner, who has clearly not been involved in the framing and setting of the Patent Office rules and fees, and who has not even disclosed to the applicant the RCE